

1450
VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

100001303

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 09-0120-2416

ELECTIONS: UNIT L-2
(herein Subject Drilling Unit)

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on July 20, 2009 which was recorded at Document #090002569 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on August 27, 2009, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein ADesignated Operator) to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit L-2;

Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company PO Box 3860 Kingsport, TN 37664, Attn: Debbie Davis or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

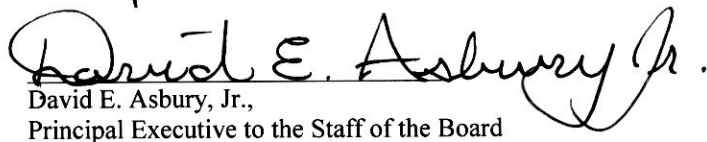
Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 8 day of April, 2010, by a majority of the Virginia Gas and Oil Board.

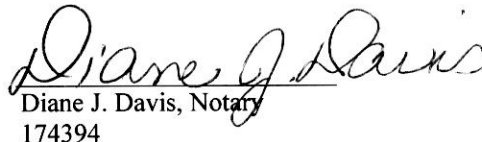

Chairman, Bradley C. Lambert

DONE AND PERFORMED THIS 8 day of April, 2010, by Order of the Board.


David E. Asbury, Jr.,
Principal Executive to the Staff of the Board

STATE OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 8th day of April, 2010, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, and appeared David E. Asbury Jr., being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board that they executed the same and were authorized to do so.


Diane J. Davis, Notary
174394

My commission expires: September 30, 2013



VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit L-2
VGOB 09-0120-2416 in the Prater & Grundy District of Buchanan County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein A Designated Operator) REGARDING
ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Land Resources, Inc., as a Pooling Supervisor and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on July 20, 2009, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Lebanon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on August 27, 2009;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

None

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of July 20, 2009;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

None

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

None

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

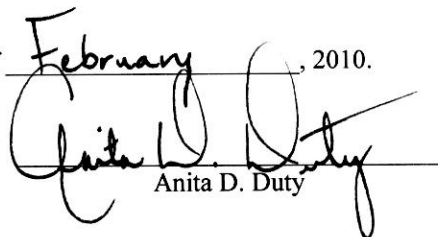
None

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

None

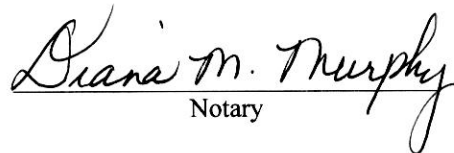
That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 19th day of February, 2010.

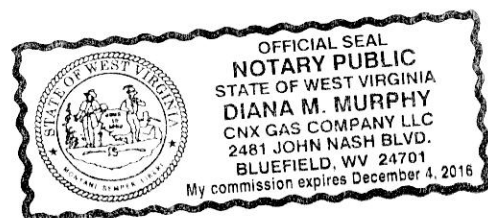

Anita D. Duty

STATE OF WEST VIRGINIA
COUNTY OF MERCER

Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land Resources, Inc., on behalf of the corporate Designated Operator, this 19th day of February, 2010.


Notary

My commission expires: December 4, 2016



PROPERTY LINES SHOWN ON THIS PLAT WERE TAKEN
FROM DEED DESCRIPTIONS AND CHAIN OF TITLE
AND DOES NOT REPRESENT A CURRENT FIELD SURVEY.

N 347,889.66
E 946,787.62

N 347,819.83
E 948,652.13

80 ACRE UNIT

BULL WHEEL
AERIAL TRAM

CBM-L2A

CBM-L2

BULL WHEEL
AERIAL TRAM

N 346,026.96
E 946,716.74

N 345,956.95
E 948,581.28

BEARING & DISTANCE TO NEAREST
WELLS WITHIN 2500' FROM CBM-
NO WELLS WITHIN 2500' RADIUS.

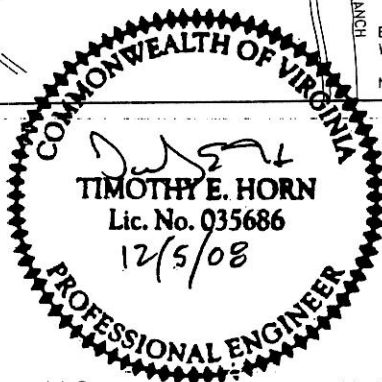


EXHIBIT A
OAKWOOD FIELD
UNIT L2
FORCE POOLING
VGOB 09-0120-2416

Company CNX Gas Company LLC Well Name and Number UNIT L2
Tract No. _____ Elevation _____ Quadrangle VANSANT
County BUCHANAN District PRATER/SOUTH GRUNDY Scale: 1" = 400' Date 12/5/08
This plat is a new plat _____; an updated plat X; or a final plat _____

Form DGO-GO-7
Rev. 9/91

[Signature]
Licensed Professional Engineer or Licensed Land Surveyor

(Affix Seal)

CNX Gas Company LLC

UNIT L2

Tract Identification

1. Consolidation Coal Company, et al Big Vein Tr. 60 (157.70 Acre Tract) – All Minerals except Oil, Gas and CBM
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Jewell Smokeless Coal Corporation – Tiller and Above Coal Leased
Highland Resources/North American Resources Corporation, et al – Oil and Gas
Plum Creek Timberlands, et al – CBM
CNX Gas Company LLC – Oil and Gas Leased (1/3)
CNX Gas Company LLC – CBM Leased
Rose Looney Hale Heirs – Surface
52.62 Acres 65.7750%
2. Amy Lee Powers, et al (57.99 Acre Tract) – All Minerals
Jewell Smokeless Coal Corporation – Tiller and above Coal Leased
Island Creek Coal Company – Coal Below Tiller Seam Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
Island Creek Coal Company – Surface
0.58 Acres 0.7250%
3. George Belcher Heirs, et al (153.00 Acre Tract) – All Minerals
Jewell Smokeless Coal Corporation – Coal above Tiller Seam Leased
Island Creek Coal Company – Coal Below Tiller Seam Leased
Equitable Production Company – Oil and Gas Leased (1/4)
CNX Gas Company LLC – CBM Leased
Island Creek Coal Company/Consol Energy, Inc. – Surface
21.18 Acres 26.4750%
4. Harold G. Vandyke, Trustee (Mary Vandyke Heirs) (34.00 Acre Tract) – All Minerals except
Coal in Tiller Seam and Above
Island Creek Coal Company/Consol Energy, Inc. – All Minerals except Coal Below Tiller Seam,
Oil, Gas and CBM
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
CNX Gas Company LLC – CBM Leased
Island Creek Coal Company/Consol Energy, Inc. – Surface
0.45 Acres 0.5625%
5. Callie Looney Heirs, et al (25.00 Acre Tract) – All Minerals
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
Island Creek Coal Company/Consol Energy, Inc. – Surface
1.86 Acres 2.3250%
6. Miles and Green Charles Heirs – All Minerals
Island Creek Coal Company/Consol Energy, Inc. – Coal Below Drainage Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased (50%)
Ray Douglas Looney, et ux – Surface
3.31 Acres 4.1375%

Exhibit B-3
Unit L-2
Docket #VGOB 09-0120-2416
List of Unleased Owners/Claimants

	Acres in Unit	Percent of Unit
I. COAL OWNERSHIP		
<u>Tract #4, 0.45 acres</u>		
(1) Mary E. Vandyke Heirs c/o Harold G. Vandyke Trustee 16100 N. East 8th Ave. North Miami Beach, FL 33162	0.45 acres	0.56250%
<u>Tract #5, 1.86 acres</u>		
(1) Callie Looney Heirs, Devisees, Successors or Assigns, et al. (25 Acre Tract)	1.86 acres	2.3250%
(a) Pearly L. Horn Heirs, Devisees Successors or Assigns		
(a.1) Doris Kennon 4495 Sandhill Road Marietta, OH 45750	0.03 acres 1/64 of 1.86 acres	0.0363%
(a.2) Betty Lou Locher 1673 Uplands Dr. Springfield, OH 45501	0.03 acres 1/64 of 1.86 acres	0.0363%
(a.3) William G. Horn 475 Springs Rd. Valleyview, TX 76272	0.03 acres 1/64 of 1.86 acres	0.0363%
(a.4) Morris Horn PO Box 4395 Ironto, OH 45638	0.03 acres 1/64 of 1.86 acres	0.0363%
(b) Everett Looney Heirs, Devisees Successors or Assigns		
(b.1) Maggie Eileen Cutlip 1412 Bonita Ave. Springfield, OH 45503	0.02 acres 1/96 of 1.86 acres	0.0242%
(b.2) Della M. Dunham 1035 Armagate Rd. Springfield, OH 45503-1484	0.02 acres 1/96 of 1.86 acres	0.0242%
(b.3) Nannie Emmons 3367 Eichelberger Lane Springfield, OH 45505	0.02 acres 1/96 of 1.86 acres	0.0242%
(b.4) Elsie Knotts 150 Wenova Dr. Springfield, OH 45502	0.02 acres 1/96 of 1.86 acres	0.0242%
(b.5) Giles Arthur Looney 6452 Prairie Rd. Springfield, OH 45502	0.02 acres 1/96 of 1.86 acres	0.0242%
(b.6) John Troy Looney 5911 Knollwood Rd. Springfield, OH 45502	0.02 acres 1/96 of 1.86 acres	0.0242%
(c) Dewey Looney Heirs, Devisees Successors or Assigns		
(c.1) Carl Looney PO Box 460 Grundy, VA 24614	0.03 acres 1/64 of 1.86 acres	0.0363%

Exhibit B-3
Unit L-2
Docket #VGOB 09-0120-2416
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	Acres in Unit	Percent of Unit
(c.2) Clyde Looney 4256 Willowdale Rd. Springfield, OH 45502	0.03 acres 1/64 of 1.86 acres	0.0363%
(c.3) Jeanette Ann Looney P.O. Box 93 Vansant, VA 24656	0.03 acres 1/64 of 1.86 acres	0.0363%
(c.4) Shirley Ann Looney Matney P.O. Box 153 Vansant, VA 24656	0.03 acres 1/64 of 1.86 acres	0.0363%
(d) Linda O'Brien Heirs, Devisees Successors or Assigns		
(d.1) William C. O'Brien 7488 Campcreek Rd. Lucasville, OH 25648	0.12 acres 1/16 of 1.86 acres	0.1453%
(e) Virginia L. Hankins Heirs, Devisees Successors or Assigns		
(e.1) Linda K. Stokes 63 Webbshaw Dr. Centerville, OH 45458-466	0.12 acres 1/16 of 1.86 acres	0.1453%
(f) Edgar Looney Heirs, Devisees Successors or Assigns		
(f.1) Earnest S. Looney 893 Williams Rd Piketon, OH 45661	0.04 acres 1/48 of 1.86 acres	0.0484%
(f.2) Martia Looney (widow of Paul R. Looney) 3071 Selma Rd. Springfield, OH 45505	0.04 acres 1/48 of 1.86 acres	0.0484%
(f.3) Gary D. Looney 528 Lillie St. Chillicothe, OH 455601	0.04 acres 1/48 of 1.86 acres	0.0484%
(g) Evans A. Looney Heirs, Devisees Successors or Assigns		
(g.1) Mary Catherine Kouse 164 Moores Road Waverly, OH 45690	0.06 acres 1/32 of 1.86 acres	0.0727%
(g.2) Rebecka Jean Holman 4915 Troy Road Springfield, OH 45502	0.06 acres 1/32 of 1.86 acres	0.0727%
(h) Minnie L. Montgomery Heirs, Devisees Successors or Assigns 63 Webbshaw Dr. Centerville, OH 45458-4616	0.12 acres 1/16 of 1.86 acres	0.1453%
<u>Tract #6, 3.31 acres</u>		
Miles & Green Charles Heirs, Devisees, Successors or Assigns	3.31 acres	4.1375%
(2) Green Charles Heirs		
(a) Nora & Willis Current 10 Wilmington Avenue, Apt. 142E Dayton, OH 45420	0.09 acres 1/36 of 3.31 acres	0.1149%

Exhibit B-3
Unit L-2
Docket #VGOB 09-0120-2416
List of Unleased Owners/Claimants

	Acres in Unit	Percent of Unit
(b) George & Jean Charles 1653 Lawrence Ave. Ashland, KY 41102	0.09 acres 1/36 of 3.31 acres	0.1149%
(c) Luella Mason Charles 249 Hill-n-Dale Drive Lexington, KY 40512	0.09 acres 1/36 of 3.31 acres	0.1149%
(d) Edith & Charles Huber 3901 Green Haven Ln. Goshen, KY 40026	0.05 acres 1/72 of 3.31 acres	0.0575%
(e) Nancy & Douglas Justice, Jr. P. O. Box 2883 Pikeville, KY 41502	0.09 acres 1/36 of 3.31 acres	0.1149%
(f) William J. Baird, III Box 351 Pikeville, KY 41502	0.03 acres 1/96 of 3.31 acres	0.0431%
(g) John H. Baird Box 351 Pikeville, KY 41502	0.03 acres 1/96 of 3.31 acres	0.0431%
(h) Charles J. Baird Box 351 Pikeville, KY 41502	0.03 acres 1/96 of 3.31 acres	0.0431%
(i) Jane C. Baird Box 351 Pikeville, KY 41502	0.03 acres 1/96 of 3.31 acres	0.0431%
(j) Eloise & Jack May 416 Third St. Pikeville, KY 41502	0.28 acres 1/12 of 3.31 acres	0.3448%
(k) J.K. & Sadie Charles Park Street Pikeville, KY 41502	0.28 acres 1/12 of 3.31 acres	0.3448%
(l) Betty Jane & Ralph Clevinger Rt. 3 Box 320 Pikeville, KY 41502	0.09 acres 1/36 of 3.31 acres	0.1149%
(m) Emma Joe Johnson Ivel, KY 41642	0.09 acres 1/36 of 3.31 acres	0.1149%
(n) Eugene & Cherith Charles 705 Hammond Rd. York, PA 17402-1324	0.09 acres 1/36 of 3.31 acres	0.1149%
(o) Ruth & James A. Friend 203 Hickory St. Nitro, WV 25143	0.14 acres 1/24 of 3.31 acres	0.1724%
(p) Blanche E. Charles 129 Wellington Court, Suite 109 Amherst, VA 24521	0.05 acres 1/72 of 3.31 acres	0.0575%
(q) James & Carol Charles 356 Montrose Rd. Monroe, VA 24574	0.05 acres 1/72 of 3.31 acres	0.0575%

Exhibit B-3
Unit L-2
Docket #VGOB 09-0120-2416
List of Unleased Owners/Claimants

	Acres in Unit	Percent of Unit
(r) John & Laura K. Charles 703 Suntree Drive Westerville, OH 43081	0.05 acres 1/72 of 3.31 acres	0.0575%
II. <u>OIL & GAS OWNERSHIP</u>		
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(o) Ruth & James A. Friend 203 Hickory St. Nitro, WV 25143	0.14 acres 1/24 of 3.31 acres	0.1724%
(p) Blanche E. Charles 129 Wellington Court, Suite 109 Amherst, VA 24521	0.05 acres 1/72 of 3.31 acres	0.0575%

Exhibit B-3
Unit L-2
Docket #VGOB 09-0120-2416
List of Unleased Owners/Claimants

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INSTRUMENT #100001303
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
MAY 19, 2010 AT 02:56PM

BEVERLY S. TILLER, CLERK
RECORDED BY: SLB